

**ADMINISTRATOR REPORT**  
**May 31, 2018**

**TO:** The Campbell County Board of Supervisors  
**FROM:** Frank J. Rogers, County Administrator  
**RE:** June 5, 2018 Board of Supervisors Meeting

**5:30 PM** Board Group Photo

**6:00 PM** - Call to Order and Pledge of Allegiance by Chairman Gunter  
Moment of Silence

**1. APPROVAL OF MINUTES**

[CCUSA WORK SESSION](#) – APRIL 17, 2018

[REGULAR MEETING](#) – MAY 1, 2018

**2. APPEARANCES**

Kristin Wright, Staff Attorney

a. [RECOGNITION OF 2018 VALEDICTORIANS AND SALUTATORIANS](#)

The Board has a program allowing the adoption of resolutions for citizens that have recorded outstanding achievements. Attached is a memorandum recognizing the students who have achieved the highest grades after four years of high school and have achieved the titles of Valedictorian and Salutarian at the County's upcoming graduation ceremonies.

Attachments:

- [Resolution](#)

**RECOMMENDATION:** Staff recommends that the Board adopt the attached resolution to honor the County's 2018 Valedictorians and Salutatorians, and recognize any who are present today. The resolution will be presented to the Schools for their use as they see fit.

Frank J. Rogers, County Administrator

b. UPDATE ON AVOCA MUSEUM

Michael Hudson, Executive Director of Avoca Museum, would like to provide the Board with an update on the museum, and answer any questions the Board may have.

**3. ADMINISTRATOR'S ITEMS**

Mike Davidson, Director of Economic Development

a. [BANKER STEEL NON-BINDING MORAL OBLIGATION](#)

The Board of Supervisors has approved two non-binding Moral Obligations for the Industrial Development Authority to finance a building leased to Banker Steel. The first occurred on February 8, 2013 when the IDA originally financed the construction of a building with First National Bank, and then on August 15, 2014 when the IDA refinanced the loan with Bank of the James.

At the request of Banker Steel, the Campbell County IDA financed and constructed a 41,000 square foot building for Banker Steel on what Banker calls their south facility, located on Rangoon Rd. The original bank that financed the project was First National Bank. The IDA refinanced that project in August 2014 with Bank of the James. That financial restructuring assumed that within 4 years the property would be sold to the tenant. Due to some business opportunities, Banker Steel would rather not take on the purchase of the building this year. Banker Steel has requested to enter into a four (4) year lease extension with the IDA, which requires refinancing the loan. Bank of the James is willing to refinance the loan but is requiring the same terms that are in place now, which is that the Board of Supervisors provide a non-binding Moral Obligation for 20% of the outstanding balance of the loan.

**RECOMMENDATION: Staff requests the Board's consideration and recommends the Board approve the renewal of a non-binding Moral Obligation with Bank of the James to support the IDA in their efforts to assist an existing Campbell County manufacturer.**

Clifton M. Tweedy, Deputy County Administrator

b. [HIGHWAY MATTERS](#)

- i. Status of Outstanding Highway Matters: See agenda
- ii. Highway Matters Action Items: See next agenda item
- iii. A few minutes is scheduled each month for Supervisors to voice any questions or concerns regarding highway matters.

**RECOMMENDATION: Please provide staff with any highway matters the Board has or that need to be passed along to VDOT.**

c. [MT. VISTA DRIVE](#)

The Holiday Forest Association asked the Virginia Department of Transportation to provide an estimate for the construction of Mt Vista Drive to standards meeting the requirements of VDOT. VDOT provided the cost estimate for said Rural Addition, and the affected property owners donated fifty (50) percent of the cost through the County, which totaled \$87,557.00. The other fifty (50) percent was provided through the State Revenue Sharing Program. The project has been completed and VDOT requests the Board of Supervisors, through resolution, add Mt. Vista Drive to the Campbell County Secondary Road System.

Attachment:

- [Resolution](#)

**RECOMMENDATION: Staff requests the Board approve the attached resolution to add Route 855, Mt. Vista Drive, to the Campbell County Secondary Road System.**

Kristin Wright, Staff Attorney

d. COUNTY CODE UPDATE – PERMISSION TO ADVERTISE

Some of the proposed amendments to the County Code for the regular spring update are mandated changes to mirror state law changes that will be effective July 1. Others are discretionary changes requested by the Board or staff or are minor amendments clarifying certain aspects of the Code. Staff will review the summaries for the semi-annual update at the Board meeting. The amended text for all chapters is available electronically with a paper copy available in the County Administrator's Office. The summary of all changes is attached to this memorandum.

**RECOMMENDATION: Staff recommends the advertisement of a public hearing to update the Campbell County Code for the July 3, 2018 Board of Supervisors meeting.**

e. WARRANT IN DEBT

As part of the County's hard billing process, the Staff Attorney has been filing and litigating warrants in debt for unpaid ambulance bills. On Monday, May 21, 2018, the Staff Attorney obtained a judgment against Mary Beasley. Ms. Beasley was present in court and contested the matter, arguing that she should not have to pay the bill because she was unsatisfied with the level of service she received from the EMS providers. The court ruled that Ms. Beasley was present in the ambulance, received services, and must pay for those services.

Ms. Beasley, acting as her own counsel, filed a warrant in debt against the Public Safety Department and the EMS provider. The warrant was served on the Public Safety Department on May 23, 2018. Ms. Beasley is asking for damages in the amount of \$25,000.00 for unspecified "pain and suffering," along with \$66.00 in costs and 6% interest. No supporting documents are attached to the warrant.

The Code of Virginia, 15.2-1243 et seq. provides that claims against a county must be presented to the governing body in order to proceed. The County Attorney must appear before the Board and advise the Board if, in his opinion, the claim is "illegal or not before the board in proper form or upon proper proof, or which for any other reason ought not to be allowed." The County Attorney must also notify, by certified mail in the form of a written notice, the claimant (here, Ms. Beasley) of the date the Board will consider the claim. Should the Board deny the claim, the matter as to the county is final unless Ms. Beasley appeals the disallowance pursuant to statutory requirements, or unless the county consents to allow her to litigate it in court.

**RECOMMENDATION: Staff recommends that the Board hear the County Attorney's presentation of the claim and make a determination as to whether to allow the claim.**

4. CONSENT AGENDA

a. APPROPRIATIONS

Attached is an appropriation listing for the Board's consideration.

b. COUNTY ATTORNEY INVOICE

Attached is an invoice for \$12,395.48 from the county attorney for services provided from April 18, 2018 through May 22, 2018.

c. AWARD OF FINANCIAL REPORTING ACHIEVEMENT FY 2017

Campbell County has been awarded the *Award of Financial Reporting Achievement* from the Government Finance Officers Association of the United States for their fiscal year ending audited financial statements and reports of June 30, 2017 marking the 14th year in a row this honor has been awarded to the County. A copy of the Certificate of Achievement for FY 2017 is included in the memorandum.

d. COYOTE BOUNTY APPLICATIONS

The Department of Animal Control has received three (3) coyote bounty applications for the killing of five (5) coyotes between April 11 and April 20, 2018. Section 4-54 of the Campbell County Code established a bounty of \$50.00 for each coyote killed within the boundaries of Campbell County. The Board of Supervisors is the approving authority for payment of the claims presented. The attached [claims](#) were submitted in accordance with our ordinance.

e. VOLUNTEER FIRE & EMS INSURANCE

The Campbell County Emergency Services' vehicle, property and casualty, and medical insurance coverage will expire July 1, 2018. This policy provides coverage for all rescue squad and fire department volunteers and equipment. The County received two (2) responses to its request for proposals and it was determined that a contract with Chesterfield Insurers, Inc. would best meet the needs of the County and the volunteer agencies.

f. RESOLUTION TO HONOR JUDGE ELLEN WHITE

Judge Cook requested the Board consider for adoption a resolution to honor Judge A. Ellen White who will retire from service as Juvenile and Domestic Relations Judge of the 24<sup>th</sup> Judicial District. Judge White was appointed to the Juvenile and Domestic Relations bench in 1994 and has served three terms as Chief Judge of the 24<sup>th</sup> District Juvenile and Domestic Relations Court. She will be retiring on June 30, 2018. As detailed in the resolution, Judge White has led a career of distinction and positively impacted the Juvenile Court system in the 24<sup>th</sup> District.

g. REQUEST TO ADVERTISE – PUBLIC HEARING TO ENACT AN ADDITIONAL ASSESSMENT ON ELECTRONIC SUMMONS

The Sheriff's office routinely writes summons for criminal and traffic cases. In the future, as new software is brought on-line, the Department may be able to issue electronic summons to streamline the process. Under State Code, the County may assess an additional sum (not in excess of \$5) as part of the costs. Such an assessment can only be imposed if permitted by ordinance of the governing body.

The Sheriff's Department is requesting permission to advertise a Public Hearing to consider an ordinance to enact an additional assessment for electronic summons, as permitted under State Code [Section 17.1-279.1](#). Such an assessment may generate additional revenue to fund the operations of the Sheriff's department in the future.

h. [REQUEST TO ISSUE RFP – FINANCIAL ADVISOR](#)

In the past the County has retained the services of Edge Municipal Advisors, (Mr. Ned Smithers) as Financial Advisor. Mr. Smithers is no longer offering those services and as a result, the County is without a contracted Financial Advisor. Such a firm is a useful resource to review and advise the County with regard to changes in the bond market that may affect our current debt. Moreover, these firms are invaluable in planning for capital expenses and seeking bond funding.

While the County does not presently have an immediate need for financial advisor services, there are a number of capital projects on the horizon that may necessitate consultation with such a firm. A financial advisor may also be of assistance in planning any future transition to twice a year tax collection schedules should the Board ultimately elect to proceed in that fashion. Fees would only be incurred on those occasions when the services are utilized.

i. [RFP DETERMINATION FOR NEW TELEPHONE SYSTEM](#)

Campbell County is in the market to explore options of replacing the existing 18 year old telephone system. In the fall of 2015, the County authorized a new voicemail system and some landline equipment to meet all the requirements through 2021. The current system has expected end of life in 2021. Replacement parts are increasingly difficult to obtain and phone quality is an ongoing issue among many different department. Complaints range from static ridden phone calls to disconnected calls and automated phone call transfers being dropped.

The Board's approval is requested to procure these services by the competitive negotiation process. Sealed bidding of a new telephone system would be neither practicable nor fiscally advantageous to the County. This request would provide a more reliable phone service, better transferring of calls, and automated systems to allow callers to go through menus when locating certain departments and/or personnel. Additional savings will be recognized through the possibility of eliminating of long distance charges.

j. [LEASE EXTENSION – CAMPBELL COUNTY FSA OFFICE](#)

The Board may recall that space in the County's Ag Building on Kabler Lane is leased in part by the USDA. Over the past several months, staff has been engaged in a process to resubmit our facility for continued use by the Farm Service Agency. While no long-term renewal has been offered, we have received a one year extension request.

The requested lease extension will enable the facility to remain in use with its current tenants. The lease extension does not require any additional capital improvements to the building.

k. [NOISE ORDINANCE EXCEPTION REQUEST](#)

Mr. Vincent Yuille of 1278 Pigeon Run Road, Gladys, Virginia in the Brookneal Election District has submitted a request for an [exception from the Noise Ordinance](#) for a family reunion. The event is scheduled for Saturday, July 7<sup>th</sup> and will be located on Yuille Lane. The event will start at 3:00 p.m. until 2:00 a.m. Sunday, July 8<sup>th</sup>, with approximately 200-250 people in attendance. Mr. Yuille is requesting an exception to allow a maximum decibel level of 65 dba at the property line from 10:00 p.m. until 2:00 a.m. The County's ordinance allows a decibel level of 77 dba at the property line if the adjacent property has an occupied dwelling until 10:00 p.m.

**RECOMMENDATIONS: Staff recommends the Board:**

- a. Approve the appropriations as presented;
- b. Approve the County Attorney invoice of \$12,395.48;
- c. Acknowledge receipt of the award for the Certificate of Achievement presented by the Government Finance Officers Association of the United States to Campbell County for the *Award of Financial Reporting Achievement* for its financial statements and reports issued as of June 30, 2017;
- d. Approve the payment of \$50.00 for each of the five (5) coyotes killed, totaling \$250.00;
- e. Authorize staff to negotiate and execute a final contract for Volunteer Fire and EMS vehicle, property and casualty, and medical insurance with Chesterfield Insurers;
- f. Adopt the attached resolution. Chairman Gunter is invite to present the resolution to Judge White at her retirement reception on June 14<sup>th</sup>;
- g. Authorize the advertisement of a public hearing to consider an ordinance for the imposition of additional assessments for electronic summons;
- h. Authorize the issuance of an RFP for Financial Advisor services;
- i. Determine that competitive sealed bidding is not practicable or fiscally advantageous for the procurement of a new telephone system and authorize Central Purchasing to use the competitive negotiation process;
- j. Authorize the execution of the one year lease extension;
- k. Review the request from Vincent Yuille and advise staff if the exception to the noise ordinance for this event will be granted.

## **5. APPOINTMENTS**

Attached for your review is a [list of appointments](#).

## **6. MATTERS FROM THE BOARD**

A few minutes is scheduled at each meeting to discuss [matters from the Board](#).

## **7. CLOSED MEETING – None**

7:00 P.M.

## **8. PUBLIC HEARINGS**

The following Public Hearing was advertised ([ad attached](#)) for:

a. REZONING REQUEST – STAGE ROAD

- # PL-18-41      This request is to rezone 2.400 +/- acres from Agricultural to Residential – Manufactured Housing to allow for the subdivision of the parcel for the placement of a second manufactured home. The property is located at 826 Stage Road, Lynchburg, VA, and in the Concord Election District. As per the Comprehensive plan the property is located in an area designated as medium to high density residential. [Staff report is attached.](#)

The existing parcel is a non-conforming lot of record. The existing parcel is 2.400 acres which is less than the required three acre minimum lot size in the Agricultural zoning district. There is an existing manufactured home on the parcel. The owner wishes to subdivide the parcel to create a new parcel where an additional manufactured home can be placed for her son to reside in. The new parcel would be 0.750 acres and would leave a residue of 1.650 acres. The existing manufactured home would remain on the residue parcel. The rezoning to Residential – Manufactured Housing would allow the smaller lot sizes and the placement of a new manufactured home.

**RECOMMENDATION: The Planning Commission recommended approval of this request by vote of 6-0 citing good zoning practice.**

b. SPECIAL USE PERMIT REQUEST – NICKLAND DRIVE

- # PL-18-32      This request is from Margie Darby for a special use permit to have a used car storage lot on property zoned Agricultural. The property is located at 743 Nickland Drive, Evington, VA, and in the Spring Hill Election District. As per the Comprehensive plan the property is located in an area designated as medium to high density residential and transitional. [Staff report is attached.](#)

The applicant is the owner of the property and wishes to use a portion of the property for the storage of used cars. The used cars are already on the property and a complaint was received. The owner was notified and was unaware of the need for a special use permit. Ms. Darby is renting an area of the property for the owner of a used automobile sales business to store the cars. The used vehicles are operable and this is therefore not an automobile graveyard. As this is not an automobile graveyard, there are no screening requirements in the County code. There are some existing trees on the borders of the property but the area is visible when the leaves are off the trees.

**RECOMMENDATION: The Planning Commission recommended denial of this request by a vote of 6-0.**

c. PUBLIC HEARING – COMPREHENSIVE PLAN

In February, Deputy County Administrator Clif Tweedy advised the Board of Supervisors of the benefit in updating the transportation chapter of the Comprehensive Plan ahead of the normal schedule. The updated information in the plan will help the County compete for road funding under the new guidelines now in use by VDOT. Applications are given a numerical score that is based, in part, on the inclusion of the proposed projects in the locality's Comprehensive Plan. The Board authorized staff to proceed with the necessary update process, VDOT has reviewed the



draft, and we are now at the point where a public hearing is necessary to consider adoption of the updated chapter. A copy of the [public notice](#) is included for reference.

**RECOMMENDATION:** Staff recommends conducting the public hearing as advertised, and with the recommendation of the Planning Commission and comments from other interested parties, consider adoption of the updated chapter.

Kristin Wright, Staff Attorney

d. [PUBLIC HEARING – DISPOSAL OF 23 FORMER DELINQUENT TAX PROPERTIES AS SURPLUS](#)

The county presently owns twenty-three (23) parcels of land that were acquired through delinquent tax sales. The Board, at its April 2018 meeting, gave permission to advertise a public hearing to declare these properties surplus prior to auctioning them in order to return the properties to private ownership and the tax rolls. Prior to any sale or conveyance of County-owned parcels, Virginia Code section 15.2-1800 requires a public hearing in order to declare the property surplus. The property in question is 23 parcels scattered throughout the county as listed on the newspaper advertisement and as shown on the maps provided by the Community Development Department.

Attachments:

- [Newspaper Advertisement](#)
- [GIS Maps](#)

**RECOMMENDATION:** Staff recommends that a public hearing under 15.2-1800 take place, and after receiving input from citizens, that the Board declare the 23 parcels surplus, and further, make a determination as to how to dispose of such surplus property.

9. **AGENCY MINUTES AND REPORTS**

- |   |                   |
|---|-------------------|
| a. <a href="#">Planning Commission</a>                                  | March 26, 2018    |
| b. <a href="#">Robert E. Lee Soil &amp; Water Conservation District</a> | March 22, 2018    |
| c. <a href="#">Library Board</a>  | April 16, 2018    |
| d. <a href="#">Social Services Board</a>                                | April 18, 2018    |
| e. <a href="#">Brookneal/Campbell County Airport Authority</a>          | February 21, 2018 |
| f. <a href="#">School Board</a>   | March 26, 2018    |

10. **INFORMATIONAL ITEMS**

- |  |            |
|--|------------|
| a. <a href="#">Report – Expenditure/Revenue Summary</a>      | April 2018 |
| b. <a href="#">Report – Treasurer FY18</a>                   | April 2018 |
| c. <a href="#">Unassigned Cash/Fund Balances</a>             | April 2018 |
| d. <a href="#">Memo – Twice a Year Tax Collection</a>        | May 2018   |
| e. <a href="#">VDOT Location &amp; Design Public Hearing</a> | June 2018  |



## BOARD OF SUPERVISORS MEETING SCHEDULE

Revised 5/17/18

Items marked with an asterisk (\*) are changed from the previously published schedule.  
Underlined items are special meetings.

### **Tuesday, June 5<sup>th</sup> –**

#### **\*5:30 PM – Board Photo**

6:00 PM – Regular Administrative Business Meeting

7:00 PM – Public Hearings, Comprehensive Plan, Rezoning, SUP, Surplus Property

### **Tuesday, June 12<sup>th</sup> –**

6:00 PM – Solar Farms (Multi Use Room)

### **Monday, June 18<sup>th</sup> –**

6:30 PM – Joint Committee Meeting – Campbell Co. Technical Center – (Good, Gunter)

### **Tuesday, June 19<sup>th</sup> –**

6:00 PM – Comprehensive Plan (Multi Use Room)

### **Tuesday, July 3<sup>rd</sup> –**

6:00 PM – Regular Administrative Business Meeting

7:00 PM – Public Hearings, County Code

### **Tuesday, July 17<sup>th</sup> –**

6:00 PM – No Board workshop currently scheduled

### **Tuesday, August 7<sup>th</sup> –**

6:00 PM – Regular Administrative Business Meeting

7:00 PM – Public Hearings, none are currently scheduled

### **Tuesday, August 14<sup>th</sup> –**

5:00 PM – EMSAC – Public Safety Conference Room – (Goldsmith, Good)

6:00 PM – FAC

### **Monday, August 20<sup>th</sup> –**

6:30 PM – Joint Committee Meeting – Campbell Co. Technical Center – (Good, Gunter)

### **Tuesday, August 21<sup>st</sup> –**

6:00 PM – No Board workshop currently scheduled

### **Tuesday, September 4<sup>th</sup> –**

6:00 PM – Regular Administrative Business Meeting

7:00 PM – Public Hearings, none are currently scheduled

### **Tuesday, September 18<sup>th</sup> –**

6:00 PM – No Board workshop currently scheduled

**Tuesday, October 2<sup>nd</sup> –**

6:00 PM – Regular Administrative Business Meeting

7:00 PM – Public Hearing, none are currently scheduled

**Tuesday, October 16<sup>th</sup> –**

6:00 PM – No Board workshop currently scheduled

**Tuesday, November 6<sup>th</sup> –**

6:00 PM – Regular Administrative Business Meeting

7:00 PM – Public Hearings, none are currently scheduled

**Tuesday, November 13<sup>th</sup> –**

5:00 PM – EMSAC – Public Safety Conference Room – (Goldsmith, Good)

6:00 PM – FAC

**Monday, November 19<sup>th</sup> –**

6:30 PM – Joint Committee Meeting – Campbell Co. Technical Center – (Good, Gunter)

**Tuesday, November 20<sup>th</sup> –**

6:00 PM – No Board workshop currently scheduled